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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Written statement submitted by the International Federation of Human Rights Leagues, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council Resolution 1996/31.

[27 December 1998]

GE.99-10563 (EXT)

Situation of human rights in Congo-Brazzaville

1. The International Federation of Human Rights Leagues (IFHR) and its member organization, Observatoire congolais des droits de l'homme (OCDH), continue to exceedingly alarmed by the persistence and worsening of a situation of grave, massive and systematic human rights violations in Congo-Brazzaville.

2. Congo-Brazzaville has still not emerged from the wave of violence marked for many years by flagrant disdain for human rights in what is a virtual police state and the climate of insecurity created by the fact that military weapons are in the possession of armed groups (militiamen) with ties to the main political parties. Although the 1997 civil war ended with the military victory of the Democratic Patriotic Forces (FDP) of General Denis Sassou-Nguesso, who has been restored to power, summary executions, politically motivated arbitrary arrests and detentions, insecurity, muzzling of the press and political parties not affiliated to the FDP through acts of intimidation and harassment of all kinds daily belie the reassuring discourse of the Congolese governmental and parliamentary authorities on the improved human rights situation and their commitment to respect their pertinent obligations.

3. The numerous human rights violations have become flagrant and systematic against victims all of whom are alleged to be supporters of the toppled authorities. In fact, for several months, both in Brazzaville and Pointe Noire, unwarranted searches and arrests, mostly in the form of kidnappings often followed by detention in clandestine and improvised prisons of real or alleged followers of the overthrown authorities in exile and of their former collaborators or relatives, are carried out by FDP officers, with total disregard for the law or the judicial system.

4. Also susceptible to this wave of repression, human rights militants conduct their activities under permanent threat of arrest. So it is that in November 1998 the Secretary-General of Observateur congolais des droits de l'homme, an affiliate of the IFHR, was arbitrarily arrested ad tortured in Pointe Noire after his organization had published a devasating report on the human rights situation in Congo.

5. This endorsement of injustice and arbitrary conduct exacerbated by impunity, owing to the ineffectiveness of the judicial system in the service of the Government, has already provoked outbursts of violence in Congo, notably in the Bouenza region in April 1998, the Pool region since August 1998 and in Brazzaville in December 1998. At the time of the latest confrontations, many extrajudicial executions, lootings and rapes were perpetrated by the followers of each of the protagonists in the conflict. Moreover, blanket disinformation concerning the real stakes is now the order of the day. Also, the civilian population, more particularly the country's youth, has been supplied with weapons which they no longer hesitate to use.

6. These explosions of violence pit the forces of law and order supported by former Cobras (the militia of General Sassou Nguesso, some of whom were recently recruited for the Congolese army) against soldiers who have remained faithful to the overthrown authorities and their own militias. These, following their military defeat in October 1997, retreated with weapons and stores to their

leaders' respective fiefs where they often came into conflict with the forces of law and order faithful to the current leaders.

7. During these confrontations which have become common currency, civilians are taken hostage and are the main victims of the macabre situation. These numerous and systematic human rights infringements are not likely to guarantee peace, stability and the general well-being of the inhabitants of Congo Brazzaville.

8. For that reason, the United Nations Commission on Human Rights cannot continue in its indifference to the particularly disturbing human rights situation in Congo-Brazzaville, increasingly marked by repeated acts of violence. In order to enable Congo-Brazzaville's current authorities specifically to integrate human rights into their political practices and remind them of the Congolese State's international obligations to enforce and protect human rights, as well as to require all Congolese protagonists to adopt the course of non-violence and negotiated settlement of their disputes, the IFHR and its member organization, Observatoire congolais des droits de l'homme, request the Commission on Human Rights to create a mechanism to monitor the situation in Congo-Brazzaville.

9. By dissuasive action against the authors of human rights violations (both governmental and those of the armed opposition), this mechanism could encourage both sides to work towards establishing genuine law and order and improving the overall situation of fundamental freedoms in the region. As the situation in Central Africa now stands, the IFHR fears that hostilities in Congo-Brazzaville may resume with renewed vigour and spread to neighbouring countries, which also find themselves in a difficult and alarming situation.